

**EIGHTY-NINTH GENERAL ASSEMBLY
2022 REGULAR SESSION
DAILY
SENATE CLIP SHEET**

April 26, 2022

Clip Sheet Summary

Displays all amendments, fiscal notes, and conference committee reports for previous day.

Bill	Amendment	Action	Sponsor
<u>SF 2195</u>	<u>S-5141</u>	Adopted	CHRIS COURNOYER
<u>HF 2128</u>	<u>S-5143</u>	Filed	COMMITTEE ON WAYS AND MEANS, et al
<u>HF 2130</u>	<u>S-5142</u>	Filed	CARRIE KOELKER, et al
<u>HF 2549</u>	<u>S-5140</u>	Adopted	CHRIS COURNOYER

SENATE FILE 2195

S-5141

1 Amend Senate File 2195 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. NEW SECTION. 261.117 Mental health
5 practitioner loan repayment program — trust fund —
6 appropriation.

7 1. *Program established.* The commission shall establish
8 a mental health practitioner loan repayment program for
9 the purposes of providing loan repayments for mental health
10 practitioners who agree to practice in service commitment areas
11 for at least five years and who meet the requirements of this
12 section.

13 2. *Eligibility.* An individual is eligible to apply to enter
14 into a program agreement with the commission if the individual
15 is enrolled full-time in a curriculum leading to employment as
16 a mental health practitioner. A recipient of a loan repayment
17 award under section 261.113, 261.114, 261.115, or 261.116 shall
18 not be eligible for a loan repayment award under this chapter.

19 3. *Program agreements.* A program agreement shall be
20 entered into by an eligible student and the commission when the
21 eligible student begins the final year of study in an academic
22 program leading to eligibility for employment as a mental
23 health practitioner. Under the agreement, to receive loan
24 repayments pursuant to subsection 5, an eligible student shall
25 agree to and shall fulfill all of the following requirements:

26 a. Receive a graduate-level credential qualifying the
27 credential recipient for employment as a mental health
28 practitioner.

29 b. Receive a license to practice in this state.

30 c. Within nine months of meeting the requirements of a
31 mental health practitioner, engage in full-time practice as
32 a mental health practitioner for a period of five years in a
33 service commitment area.

34 d. During the five-year period of full-time practice, be
35 enrolled as an actively participating Medicaid provider.

1 4. *Priorities in making awards.* In making awards under this
2 section, the commission shall give priority to:

3 a. Eligible students who are residents of Iowa upon
4 enrolling in a university and who agree to practice in a
5 service commitment area located in a mental health professional
6 shortage area.

7 b. Service commitment areas that are located in mental
8 health professional shortage areas.

9 5. *Loan repayment amounts.*

10 a. The amount of loan repayment an eligible student who
11 enters into an agreement pursuant to subsection 3 shall receive
12 if in compliance with obligations under the agreement shall be
13 as follows:

14 (1) For a psychiatrist, forty thousand dollars annually
15 with a maximum of two hundred thousand dollars for an eligible
16 loan, not to exceed the total loan amount.

17 (2) For a psychologist or a mental health professional,
18 eight thousand dollars annually with a maximum of forty
19 thousand dollars for an eligible loan, not to exceed the total
20 loan amount.

21 (3) For a physician assistant practicing under the
22 supervision of a psychiatrist, or for a psychiatric advanced
23 registered nurse practitioner, ten thousand dollars annually
24 with a maximum of fifty thousand dollars, not to exceed the
25 total loan amount.

26 b. If the total amount of the eligible student's loan
27 upon graduation is less than the maximum amount specified,
28 the commission shall divide the total amount of the eligible
29 student's eligible loan by five to determine the annual amount
30 of loan repayment the loan recipient is eligible to receive.

31 c. Payments under this section may be made for each year of
32 eligible practice during a period of five consecutive years.

33 6. *Refinanced loans.* A loan repayment recipient who
34 refinances an eligible loan by obtaining a private educational
35 loan may continue to receive loan repayment under this section

1 if the amount of loan repayment does not exceed the lesser of
2 the amount specified in subsection 5 or the balance of the loan
3 repayment amount the loan repayment recipient qualified to
4 receive with the eligible loan.

5 7. *Program agreement limitation.* The commission shall by
6 rule determine the number of agreements entered into annually
7 based upon the funding available.

8 8. *Selection of service commitment area.* A loan repayment
9 recipient shall notify the commission of the recipient's
10 service commitment area prior to beginning practice in the area
11 in accordance with subsection 3, paragraph "c". Priority shall
12 be given to recipients who select service commitment areas
13 located in mental health professional shortage areas. The
14 commission may waive the requirement that the loan repayment
15 recipient practice in the same service commitment area for all
16 five years.

17 9. *Rules for additional loan repayment.* The commission
18 shall adopt rules to provide, in addition to loan repayment
19 provided to eligible students pursuant to this section and
20 subject to the availability of surplus funds, loan repayment to
21 a psychiatrist, a psychologist, a mental health professional,
22 a physician assistant practicing under the supervision of
23 a psychiatrist, or a psychiatric advanced registered nurse
24 practitioner, who, as provided in subsection 3, received a
25 degree from a university, obtained a license to practice
26 in this state, and is engaged in full-time practice in the
27 respective profession in a service commitment area.

28 10. *Part-time practice — agreement amended.* A person who
29 entered into an agreement pursuant to subsection 3 may apply
30 to the commission to amend the agreement to allow the person
31 to engage in less than the full-time practice specified in the
32 agreement and under subsection 3, paragraph "c". The commission
33 and the person may consent to amend the agreement under which
34 the person shall engage in less than full-time practice in a
35 service commitment area for an extended period of part-time

1 practice determined by the commission to be proportional to
2 the amount of full-time practice remaining under the original
3 agreement. For purposes of this subsection, "*less than*
4 *the full-time practice*" means at least seventy percent of a
5 forty-hour workweek.

6 11. *Postponement and satisfaction of service obligation.*

7 a. The obligation to engage in practice in accordance with
8 subsection 3 shall be postponed for the following purposes:

9 (1) Active duty status in the armed forces, the armed forces
10 military reserve, or the national guard.

11 (2) Service in volunteers in service to America.

12 (3) Service in the federal peace corps.

13 (4) A period of service commitment to the United States
14 public health service commissioned corps.

15 (5) A period of religious missionary work conducted by an
16 organization exempt from federal income taxation pursuant to
17 section 501(c)(3) of the Internal Revenue Code.

18 (6) Any period of temporary medical incapacity during which
19 the person obligated is unable, due to a medical condition, to
20 engage in full-time practice as required under subsection 3,
21 paragraph "c".

22 b. Except for a postponement under paragraph "a",
23 subparagraph (6), an obligation to engage in practice under an
24 agreement entered into pursuant to subsection 3 shall not be
25 postponed for more than two years from the time the full-time
26 practice was to have commenced under the agreement.

27 c. An obligation to engage in full-time practice under
28 an agreement entered into pursuant to subsection 3 shall be
29 considered satisfied when any of the following conditions are
30 met:

31 (1) The terms of the agreement are completed.

32 (2) The person who entered into the agreement dies.

33 (3) The person who entered into the agreement, due to a
34 permanent disability, is unable to practice as a mental health
35 practitioner.

1 *d.* If a loan repayment recipient fails to fulfill
2 the obligation to engage in practice in accordance with
3 subsection 3, the recipient shall be subject to repayment to
4 the commission of the loan amount plus interest as specified
5 by rule. A loan repayment recipient who fails to meet the
6 requirements of the obligation to engage in practice in
7 accordance with subsection 3 may also be subject to repayment
8 of moneys advanced by the service commitment area as provided
9 in any agreement with the service commitment area.

10 12. *Trust fund established.* A mental health practitioner
11 loan repayment program trust fund is created in the state
12 treasury as a separate fund under the control of the
13 commission. The commission shall remit all repayments made
14 pursuant to this section to the trust fund. All moneys
15 deposited or paid into the trust fund are appropriated and
16 made available to the commission to be used for meeting the
17 requirements of this section. Moneys in the trust fund up
18 to the total amount that an eligible student may receive
19 for an eligible loan in accordance with this section and
20 upon fulfilling the requirements of subsection 3, shall be
21 considered encumbered for the duration of the agreement entered
22 into pursuant to subsection 3. Notwithstanding section 8.33,
23 any balance in the trust fund on June 30 of each fiscal year
24 shall not revert to the general fund of the state, but shall
25 be available for purposes of this section in subsequent fiscal
26 years.

27 13. *Report.* The commission shall submit in a report to
28 the general assembly by January 1, annually, the number of
29 individuals who received loan repayment pursuant to this
30 section, where the participants practiced, the amount paid to
31 each program participant, and other information identified by
32 the commission as indicators of outcomes of the program.

33 14. *Rules.* The commission shall adopt rules pursuant to
34 chapter 17A to administer this section.

35 15. *Definitions.* For purposes of this section:

1 *a. "Advanced registered nurse practitioner"* means a person
2 licensed as a registered nurse under chapter 152 or 152E who
3 is licensed by the board of nursing as an advanced registered
4 nurse practitioner.

5 *b. "Eligible loan"* means the recipient's total federally
6 guaranteed Stafford loan amount under the federal family
7 education loan program or the federal direct loan program, the
8 recipient's federal grad plus loans, or the recipient's federal
9 Perkins loan, including principal and interest.

10 *c. "Mental health practitioner"* means a psychiatrist,
11 a psychologist, a mental health professional, a physician
12 assistant practicing under the supervision of a psychiatrist,
13 or a psychiatric advanced registered nurse practitioner.

14 *d. "Mental health professional"* means an individual who
15 meets all of the following qualifications:

16 (1) The individual holds at least a master's degree in
17 a mental health field, including psychology, counseling and
18 guidance, social work, marriage and family therapy, or mental
19 health counseling.

20 (2) The individual holds a current Iowa license if
21 practicing in a field covered by an Iowa licensure law.

22 (3) The individual has at least two years of post-degree
23 clinical experience, supervised by another individual in the
24 mental health field, in assessing mental health needs and
25 problems and in providing appropriate mental health services.

26 *e. "Mental health professional shortage area"* means a mental
27 health health professional shortage area designated by the
28 health resources and services administration of the United
29 States department of health and human services.

30 *f. "Psychiatric advanced registered nurse practitioner"*
31 means an individual currently licensed as a registered nurse
32 under chapter 152 or 152E who holds a national certification in
33 psychiatric mental health care and who is licensed by the board
34 of nursing as an advanced registered nurse practitioner.

35 *g. "Service commitment area"* means a city in Iowa that

S-5141 (Continued)

1 provides the following contribution amounts for deposit in the
2 mental health practitioner loan repayment trust fund for each
3 loan recipient in the community who is participating in the
4 loan repayment program:

5 (1) For a psychiatrist, twenty thousand dollars.

6 (2) For a psychologist or a mental health professional, four
7 thousand dollars.

8 (3) For a physician assistant practicing under the
9 supervision of a psychiatrist, or for a psychiatric advanced
10 registered nurse practitioner, five thousand dollars.

11 Sec. 2. MENTAL HEALTH PRACTITIONER LOAN REPAYMENT PROGRAM
12 TRUST FUND — APPROPRIATION. There is appropriated from the
13 general fund of the state to the college student aid commission
14 for the fiscal year beginning July 1, 2022, and ending June
15 30, 2023, the following amounts, or so much thereof as is
16 necessary, to be used for the purposes designated:

17 For deposit in the mental health practitioner loan repayment
18 program trust fund established pursuant to section 261.117, to
19 be used for the purposes of the program:

20 \$ 1,500,000>

21 2. Title page, by striking lines 1 and 2 and inserting
22 <An Act relating to the establishment of a mental health
23 practitioner loan repayment program, and providing an
24 appropriation.>

By CHRIS COURNOYER

S-5141 FILED APRIL 25, 2022

ADOPTED

HOUSE FILE 2128

S-5143

- 1 Amend House File 2128, as amended, passed, and reprinted by
2 the House, as follows:
- 3 1. Page 1, line 15, by striking <214A.35,> and inserting
4 <214A.36,>
- 5 2. Page 1, line 21, by striking <motor fuel> and inserting
6 <gasoline>
- 7 3. Page 1, line 23, by striking <motor fuel> and inserting
8 <gasoline>
- 9 4. Page 1, line 28, by striking <motor fuel> and inserting
10 <gasoline>
- 11 5. Page 1, line 29, by striking <motor fuel> and inserting
12 <gasoline>
- 13 6. Page 1, line 30, by striking <motor fuel> and inserting
14 <gasoline>
- 15 7. Page 1, line 31, by striking <motor fuel> and inserting
16 <gasoline>
- 17 8. Page 2, line 1, by striking <motor fuel> and inserting
18 <gasoline>
- 19 9. Page 2, line 4, by striking <motor fuel> and inserting
20 <gasoline>
- 21 10. Page 2, lines 27 and 28, by striking <motor fuel> and
22 inserting <gasoline>
- 23 11. Page 2, line 30, by striking <motor fuel> and inserting
24 <gasoline>
- 25 12. Page 3, line 16, by striking <motor fuel> and inserting
26 <gasoline>
- 27 13. Page 4, line 26, before <E-15> by inserting
28 <alternative>
- 29 14. Page 4, line 31, before <E-15> by inserting
30 <alternative>
- 31 15. Page 5, line 7, before <E-15> by inserting <alternative>
- 32 16. Page 5, line 8, by striking <motor fuel> and inserting
33 <gasoline>
- 34 17. Page 5, line 15, by striking <motor fuel> and inserting
35 <gasoline>

S-5143 (Continued)

- 1 18. Page 5, line 25, by striking <motor fuel> and inserting
2 <gasoline>
- 3 19. Page 6, by striking lines 23 and 24 and inserting <event
4 has occurred. A terminable event occurs on the date that any
5 of the following apply:>
- 6 20. Page 7, by striking line 9 and inserting <all gasoline
7 storage tanks that are>
- 8 21. Page 7, line 10, after <any> by inserting <number>
- 9 22. Page 7, line 12, by striking <motor fuel> and inserting
10 <gasoline>
- 11 23. Page 7, line 14, by striking <motor fuel> and inserting
12 <gasoline>
- 13 24. Page 7, line 16, by striking <motor fuel> and inserting
14 <gasoline>
- 15 25. Page 7, line 18, by striking <motor fuel> and inserting
16 <gasoline>
- 17 26. Page 7, lines 23 and 24, by striking <may file and
18 review> and inserting <shall file and analyze>
- 19 27. Page 7, line 29, by striking <motor fuel> and inserting
20 <gasoline>
- 21 28. Page 7, line 33, before <E-15> by inserting
22 <alternative>
- 23 29. Page 7, line 34, by striking <motor fuel> and inserting
24 <gasoline>
- 25 30. Page 8, by striking lines 6 through 15 and inserting:
26 <(a) The total estimated cost of improvement which equals
27 the sum of all of the following:
28 (i) The reasonable cost of assessing the retail motor fuel
29 site to determine the estimated cost of improving the retail
30 motor fuel site as described in subparagraph subdivision (ii).
31 (ii) The estimated cost of improving the retail motor fuel
32 site to comply with the alternative E-15 access standard based
33 on the department's analysis of the inspection report described
34 in paragraph "a". The estimated cost of improving the retail
35 motor fuel site shall only include costs used to calculate the

1 amount of standard financial incentives that could be awarded
2 by the renewable fuel infrastructure board to a retail dealer
3 participating in the renewable fuel infrastructure program for
4 retail motor fuel sites as provided in section 159A.14.>

5 31. Page 8, line 19, after <under> by inserting <tier III
6 of>

7 32. Page 8, line 22, before <E-15> by inserting
8 <alternative>

9 33. Page 8, line 27, by striking <is applying for> and
10 inserting <may apply for, is applying for,>

11 34. Page 9, after line 3 by inserting:

12 <Sec. _____. NEW SECTION. 214A.36 Exemption from E-15 access
13 standard for small retail motor fuel sites — by order issued by
14 secretary of agriculture.

15 1. *a.* The secretary of agriculture shall issue a small
16 retail motor fuel site exemption administrative order to a
17 retail dealer. The administrative order shall exempt the
18 retail dealer from complying with the E-15 access standard, as
19 otherwise required in section 214A.32, at a small retail motor
20 fuel site owned or operated by the retail dealer.

21 *b.* To qualify as a small retail motor fuel site under this
22 section, all of the following must apply:

23 (1) Prior to January 1, 2023, the retail motor fuel site
24 included gasoline storage and dispensing infrastructure.

25 (2) The retail motor fuel site's average total gasoline
26 gallonage was limited to three hundred thousand gallons or less
27 for the qualifying phase as provided in this section.

28 2. *a.* A retail dealer may apply for an administrative order
29 as described in subsection 1 by submitting an application to
30 the department in a manner and according to procedures required
31 by the department.

32 *b.* The retail dealer must sign the application which shall
33 include a statement that the retail dealer swears and affirms
34 that all information in the application completed by the retail
35 dealer is true and correct.

1 3. *a.* Upon request by the department of agriculture and
2 land stewardship, the department of revenue shall certify the
3 average total gasoline gallonage for the retail motor fuel site
4 computed for the qualifying phase beginning on January 1, 2020,
5 and ending on December 31, 2022.

6 *b.* The computation described in paragraph "a" shall be
7 based on site-by-site information for the retail motor fuel
8 site in reports required to be filed for determination periods
9 by the retail dealer with the department of revenue pursuant
10 to chapter 452A, subchapter II. However, if the department
11 of revenue cannot obtain site-by-site information for the
12 retail motor fuel site from such reports, the department of
13 revenue may use other methods, including records maintained by
14 the department of revenue under chapter 422, to compute the
15 retail motor fuel site's gallonage for all or any part of that
16 qualifying phase.

17 *c.* A retail dealer who submits an application under this
18 section shall waive the confidentiality of information in
19 the department of revenue's certification identifying the
20 retail dealer or retail motor fuel site otherwise applicable
21 under chapter 422 or 452A. The information maintained by the
22 department of agriculture and land stewardship under this
23 section is a confidential record under section 22.7 and shall
24 be used by the department of agriculture and land stewardship
25 for the limited purposes of evaluating the retail dealer's
26 application for approval and issuing an administrative order
27 described in subsection 1. The certification may be used in
28 a criminal proceeding alleging the retail dealer committed
29 perjury as described in section 214A.11 when completing the
30 application. The application shall include a notice of the
31 waiver. The department of agriculture and land stewardship
32 shall redact such identifying information in any record
33 otherwise requiring disclosure by that department under chapter
34 22.

35 *d.* The department of revenue, in cooperation with the

1 department of agriculture and land stewardship, may adopt rules
2 to administer this subsection.

3 4. The department shall publish on its internet site for
4 each quarter of a calendar year information aggregated from
5 administrative orders described in subsection 1 that shall be
6 limited to the following:

7 a. The total number of administrative orders issued.

8 b. The total number of administrative orders in effect.

9 5. a. The secretary of agriculture shall terminate the
10 administrative order described in subsection 1 if a terminable
11 event has occurred. A terminable event occurs on the date that
12 any of the following apply:

13 (1) The failure of a retail dealer to be licensed as
14 required under section 214.2 to use a commercial weighing and
15 measuring device when dispensing gasoline at the retail motor
16 fuel site.

17 (2) The cessation of the retail dealer's business of
18 advertising for sale or selling gasoline at the retail motor
19 fuel site.

20 (3) The installation, replacement, or conversion of a
21 gasoline storage tank located at the retail motor fuel site.

22 b. The department may require that a retail dealer
23 notify the department that a terminable event as described
24 in paragraph "a" is planned to occur, is occurring, or has
25 occurred.

26 6. a. This section shall be implemented on January 1, 2023.

27 b. This subsection is repealed January 2, 2023.>

28 35. Page 9, line 4, by striking <214A.36> and inserting
29 <214A.37>

30 36. Page 9, line 13, by striking <SUSPENDING OR WAIVING> and
31 inserting <SUSPENDING, WAIVING, OR EXEMPTING>

32 37. Page 9, after line 29 by inserting:

33 <4. The secretary of agriculture may issue a small retail
34 motor fuel site exemption administrative order as provided in
35 section 214A.36, as enacted in this part of this division of

1 this Act, prior to January 1, 2023, if the secretary determines
2 it is necessary to issue the order prior to that date.>

3 38. Page 9, by striking lines 30 and 31 and inserting:

4 <Sec. _____. ADOPTION OF RULES IMPLEMENTING E-15 ACCESS
5 STANDARD, E-15 INCOMPATIBLE INFRASTRUCTURE WAIVER ORDER, AND
6 SMALL RETAIL MOTOR FUEL SITE EXEMPTION ADMINISTRATIVE ORDER.>

7 39. Page 10, after line 6 by inserting:

8 <3. The department of agriculture and land stewardship
9 shall adopt rules pursuant to chapter 17A prior to January 1,
10 2023, as necessary to administer and enforce a small retail
11 motor fuel site exemption administrative order as provided in
12 section 214A.36, as enacted in this part of this division of
13 this Act.>

14 40. Page 10, by striking lines 9 and 10.

15 41. Page 11, line 11, by striking <that is> and inserting
16 <that includes>

17 42. Page 11, after line 35 by inserting:

18 <NEW SUBSECTION. 10A. "*Determination period*" means any
19 twelve-month period beginning on January 1 and ending on
20 December 31 in which a retail dealer who owns or operates a
21 retail motor fuel site sells and dispenses gasoline or diesel
22 fuel from that retail motor fuel site as calculated by the
23 department of revenue in chapter 452A, subchapter II.>

24 43. Page 12, after line 4 by inserting:

25 <NEW SUBSECTION. 16A. "*Gasoline dispenser*" means a type
26 of motor fuel dispenser that is part of gasoline storage and
27 dispensing infrastructure.

28 NEW SUBSECTION. 16B. "*Gasoline storage and dispensing*
29 *infrastructure*" or "*gasoline infrastructure*" means motor fuel
30 storage and dispensing infrastructure used to do any of the
31 following:

32 a. Store and dispense gasoline, including ethanol blended
33 gasoline or biobutanol blended gasoline.

34 b. Store, blend, and dispense gasoline, including ethanol
35 blended gasoline or biobutanol blended gasoline.

1 NEW SUBSECTION. 16C. "*Gasoline storage tank*" means a type
2 of motor fuel storage tank used to store an accumulation of
3 gasoline.>

4 44. Page 12, by striking lines 10 through 12 and inserting:
5 <Sec. _____. NEW SECTION. 214A.1A Administration and
6 enforcement.

7 1. This chapter shall be administered and enforced by the
8 department which may adopt rules under chapter 17A to carry out
9 the provisions of this chapter.

10 2. The department may adopt rules necessary to administer
11 and enforce this chapter in conjunction with chapter 214.>

12 45. Page 12, by striking lines 15 through 29 and inserting:
13 <1. a. The department shall adopt rules pursuant to chapter
14 17A for carrying out this chapter. The rules may include but
15 are not limited to specifications establishing departmental
16 standards relating to motor fuel, including but not limited to
17 renewable fuel such as ethanol blended gasoline, biobutanol
18 blended gasoline, biodiesel, biodiesel blended fuel, fuels and
19 motor fuel components such as an oxygenate.

20 b. In the interest of uniformity, the department shall
21 adopt by reference ~~other~~ in part or in whole, as some of its
22 departmental standards described in paragraph "a", applicable
23 specifications relating to tests and standards for motor fuel,
24 including renewable fuel and motor fuel components, adopted by
25 ASTM international and applicable requirements established by
26 the United States environmental protection agency and A.S.T.M.
27 international.>

28 46. Page 13, by striking lines 10 through 24.

29 47. Page 13, after line 30 by inserting:

30 <Sec. _____. Section 214A.11, subsection 1, Code 2022, is
31 amended to read as follows:

32 1. Except as otherwise provided in ~~subsection 2~~ subsection
33 3, a person who violates a provision of this chapter is guilty
34 of a serious misdemeanor or is subject to an alternative
35 civil enforcement action under subsection 2. Each day that

1 a continuing violation occurs shall be considered a separate
2 offense.>
3 48. Page 13, line 31, by striking <subsection 2,>
4 49. Page 13, line 32, by striking <paragraphs> and inserting
5 <subsection>
6 50. Page 13, line 33, by striking <NEW PARAGRAPH. c.> and
7 inserting <NEW SUBSECTION. 3. a.>
8 51. Page 14, line 3, by striking <"c"> and inserting <"a">
9 52. Page 14, line 6, by striking <NEW PARAGRAPH. d.> and
10 inserting <b.>
11 53. Page 14, line 15, by striking <"d"> and inserting <"b">
12 54. Page 14, after line 17 by inserting:
13 <c. (1) A retail dealer who submits an application for a
14 small retail motor fuel site exemption administrative order
15 under section 214A.36 that the retail dealer knows is not true
16 and correct commits perjury as provided in section 720.2.
17 (2) (a) This paragraph "c" shall be implemented on January
18 1, 2023.
19 (b) This subparagraph is repealed January 2, 2023.>
20 55. Page 15, by striking line 3.
21 56. Page 15, by striking line 9 and inserting:
22 <a. Section 214A.3>
23 57. Page 15, line 28, by striking <214A.36> and inserting
24 <214A.37>
25 58. Page 16, by striking lines 18 through 22 and inserting
26 <or "gasoline infrastructure" means the same as defined in
27 section 214A.1.>
28 59. Page 16, by striking lines 25 and 26 and inserting:
29 <Sec. _____. Section 455G.31, subsection 1, paragraph a, Code
30 2022, is amended by striking the paragraph.>
31 60. Page 16, line 29, by striking <2-> and inserting <2.>
32 61. Page 16, lines 31 and 32, by striking <E-9 E-10> and
33 inserting <E-9>
34 62. Page 16, after line 35 by inserting:
35 <Sec. _____. Section 455G.31, subsection 3, Code 2022, is

1 amended by striking the subsection.>

2 63. Page 28, line 21, by striking <motor fuel,> and
3 inserting <motor fuel or special fuel,>

4 64. Page 28, line 22, by striking <same> and inserting
5 <applicable>

6 65. Page 28, after line 23 by inserting:

7 <Sec. _____. Section 452A.31, subsection 1, Code 2022, is
8 amended to read as follows:

9 1. A determination period is any twelve-month period
10 beginning on January 1 and ending on December 31 in which a
11 retail dealer who owns or operates a retail motor fuel site
12 sells and dispenses gasoline or diesel fuel from that site as
13 regulated by the department of agriculture and land stewardship
14 pursuant to chapters 214 and 214A.>

15 66. By striking page 31, line 23, through page 32, line 2,
16 and inserting:

17 <c. (1) The retail dealer shall prepare and ~~submit~~ file
18 the report with the department in a manner and according to
19 procedures required by the department in compliance with
20 section 452A.61. However, the department may require that the
21 retail dealer file the report with the department by electronic
22 transmission. The department may require that retail dealers
23 report to the department on an annual, quarterly, or monthly
24 basis. The department, upon application by a retail dealer,
25 may grant a reasonable extension of time to file the report.

26 (2) If a retail dealer fails to file the report as required
27 by this section or fails to maintain records required to file
28 the report the department may impose a civil penalty of not
29 more than one hundred dollars per occurrence in addition to any
30 other penalty provided by law. The penalty amount shall be
31 deposited into the general fund of the state.>

32 67. Page 32, before line 3 by inserting:

33 <Sec. _____. Section 452A.33, subsection 1, paragraph d, Code
34 2022, is amended to read as follows:

35 d. The information included in a report submitted by a

1 retail dealer is deemed to be a trade secret, protected as a
2 confidential record pursuant to section 22.7. However, upon
3 request by the department of agriculture and land stewardship
4 pursuant to section 159A.14 or 214A.36, the department of
5 revenue shall certify a retail motor fuel site's average total
6 gasoline gallonage for a qualifying phase as provided in each
7 of those sections.>

8 68. Page 36, before line 5 by inserting:

9 <PART A

10 RENEWABLE FUEL INFRASTRUCTURE PROGRAM FOR RETAIL MOTOR FUEL
11 SITES>

12 69. Page 38, by striking lines 4 through 11 and inserting:

13 <b. The application shall allow the department to determine

14 all of the following:

15 (1) The tier designation of the retail motor fuel site as
16 provided in subsection 4B.

17 (2) Whether the retail dealer would be in compliance with
18 the general E-15 access standard or the alternative E-15 access
19 standard as provided in section 214A.32 if that standard were
20 implemented on the date the application was filed.

21 (3) Whether the person is a retail dealer assigned special
22 status. The department shall assign the person special status
23 if the person does not comply with the E-15 access standard as
24 provided in section 214A.32 and the person is ineligible to be
25 issued an E-15 incompatible infrastructure class 2 waiver order
26 for that retail motor fuel site as provided in section 214A.35,
27 subsection 6.>

28 70. Page 38, by striking lines 12 through 24.

29 71. Page 38, line 25, by striking <d.> and inserting <c.>

30 72. Page 38, after line 27 by inserting:

31 <d. An application shall automatically expire if the

32 application has not been approved or disapproved by the board
33 as provided in this section within twenty-four months after the
34 department files the submitted application.

35 e. The infrastructure board shall not delay approving an

1 application or financing agreement to install, replace, or
2 convert ethanol infrastructure based on its priority status as
3 provided in subsection 4B.>

4 73. By striking page 38, line 30, through page 39, line 4,
5 and inserting:

6 <The infrastructure board shall approve ~~cost-share~~ financing
7 ~~agreements executed~~ entered into by the department and persons
8 that the infrastructure board determines are eligible as
9 provided in this section, according to terms and conditions
10 required by the infrastructure board. ~~The infrastructure board~~
11 ~~shall determine the amount of the financial incentives to be~~
12 ~~awarded to a person participating in the program.~~ In order to
13 be eligible to participate in the program, all of the following
14 must apply:>

15 74. Page 39, before line 5 by inserting:

16 <Sec. _____. Section 159A.14, subsection 3, paragraph b,
17 subparagraph (4), Code 2022, is amended to read as follows:

18 (4) A statement certifying that the infrastructure shall
19 only be used to comply with the provisions of this section and
20 as specified in the ~~cost-share~~ financing agreement, unless
21 granted a waiver by the infrastructure board pursuant to this
22 section.

23 Sec. _____. Section 159A.14, Code 2022, is amended by adding
24 the following new subsections:

25 NEW SUBSECTION. 4A. A financing agreement shall be for
26 a five-year period. The financing agreement shall include
27 provisions for standard financial incentives or standard
28 financial incentives and supplemental financial incentives as
29 provided in this section. The infrastructure board may approve
30 multiple improvements to the same retail motor fuel site for
31 the full amount available for both ethanol infrastructure
32 and biodiesel infrastructure so long as the improvements for
33 ethanol infrastructure and for biodiesel infrastructure are
34 made under separate financing statements.

35 a. For the term of a financing agreement to improve a

1 retail motor fuel site by installing, replacing, or converting
2 ethanol infrastructure, the participating person must use the
3 ethanol infrastructure to store and dispense, or store, blend,
4 and dispense, ethanol blended gasoline classified as E-15 or
5 higher.

6 *b.* For the term of a financing agreement to improve a
7 retail motor fuel site by installing, replacing, or converting
8 biodiesel infrastructure, the participating person must use
9 the biodiesel infrastructure to store and dispense, or store,
10 blend, and dispense, biodiesel blended fuel classified as B-5
11 or higher. However, at least for the period beginning April 1
12 and ending October 31 of each year, the participating person
13 must use the biodiesel infrastructure to store and dispense, or
14 store, blend, and dispense, biodiesel blended fuel classified
15 as B-11 or higher.

16 NEW SUBSECTION. 4B. *a.* The infrastructure board shall
17 award standard financial incentives to improve a retail motor
18 fuel site by installing, replacing, or converting ethanol
19 infrastructure designated by the department as a tier I site
20 or tier II site. The department's designation shall be based
21 on all of the following:

22 (1) The total number of retail motor fuel sites that store
23 and dispense gasoline, or store, blend, and dispense gasoline,
24 that are owned or operated in this state by the eligible person
25 on the date of the application.

26 (2) The retail motor fuel site's average total gasoline
27 gallonage for the qualifying phase that includes the three
28 calendar years immediately prior to the year that the eligible
29 person submitted the application.

30 (a) Upon request by the department of agriculture and
31 land stewardship, the department of revenue shall certify the
32 average total gasoline gallonage for the retail motor fuel site
33 computed for the qualifying phase. The computation shall be
34 based on site-by-site information for the retail motor fuel
35 site in reports required to be filed for determination periods

1 by the retail dealer with the department of revenue pursuant
2 to chapter 452A, subchapter II. However, if the department
3 of revenue cannot obtain site-by-site information for the
4 retail motor fuel site from such reports, the department of
5 revenue may use other methods, including records maintained by
6 the department of revenue under chapter 422, to compute the
7 retail motor fuel site's gallonage for all or any part of that
8 qualifying phase.

9 (b) A person who submits an application under this
10 section shall waive the confidentiality of information in the
11 department of revenue's certification identifying the person
12 or retail motor fuel site otherwise applicable under chapter
13 422 or 452A. The information maintained by the department
14 of agriculture and land stewardship under this section is a
15 confidential record under section 22.7 and shall be used by
16 the department of agriculture and land stewardship and the
17 infrastructure board for the limited purpose of evaluating
18 the eligible person's application for approval and entering
19 into a financing agreement with the participating person.
20 The application shall include a notice of the waiver. The
21 department of agriculture and land stewardship or the
22 infrastructure board shall redact such identifying information
23 in any record otherwise requiring disclosure by that department
24 under chapter 22.

25 (c) The department of revenue, in cooperation with the
26 department of agriculture and land stewardship, may adopt rules
27 to administer this subparagraph.

28 b. (1) For a tier I site, all of the following apply:

29 (a) The eligible person must own or operate a total of ten
30 or fewer of the retail motor fuel sites described in paragraph
31 "a" regardless of their designations.

32 (b) The eligible person must not have stored and dispensed
33 E-15 gasoline at the retail motor fuel site at any time prior
34 to submitting the application.

35 (c) The retail motor fuel site's average total gasoline

1 gallonage as certified by the department of revenue as provided
2 in paragraph "a" must not be more than one hundred forty
3 thousand gallons.

4 (2) The amount of standard financial incentives awarded to
5 improve the tier I site is ninety percent of the actual cost
6 of making the improvement or sixty-three thousand nine hundred
7 dollars, whichever is less.

8 c. (1) For a tier II site, all of the following apply:

9 (a) The eligible person must own or operate a total of ten
10 or fewer retail motor fuel sites described in paragraph "a"
11 regardless of their designations.

12 (b) The eligible person must not have stored and dispensed
13 E-15 gasoline at the retail motor fuel site at any time prior
14 to submitting the application.

15 (c) The retail motor fuel site's average total gasoline
16 gallonage as certified by the department of revenue as provided
17 in paragraph "a" must be more than one hundred forty thousand
18 gallons but not more than four hundred fifty thousand gallons.

19 (2) The amount of standard financial incentives awarded to
20 improve the tier II site is seventy-five percent of the actual
21 cost of making the improvements or fifty-three thousand two
22 hundred fifty dollars, whichever is less.

23 d. The infrastructure board shall award standard financial
24 incentives to improve a retail motor fuel site by installing,
25 replacing, or converting ethanol infrastructure at a tier III
26 site as designated by the department.

27 (1) Any retail motor fuel site not designated as a tier I
28 site under paragraph "b" or a tier II site under paragraph "c"
29 shall be designated as a tier III site.

30 (2) The amount of standard financial incentives awarded to
31 improve the tier III site is seventy percent of the actual cost
32 of making the improvement or fifty thousand dollars, whichever
33 is less.

34 e. The infrastructure board shall establish a system to rank
35 applications to improve a retail motor fuel site by installing,

1 replacing, or converting ethanol infrastructure according to an
2 order or priority order as follows:

3 (1) For the first priority, a retail motor fuel site
4 assigned a special status as provided in subsection 2.

5 (2) For the second priority, a retail motor fuel site that
6 is a tier I site as provided in this subsection.

7 (3) For the third priority, a retail motor fuel site that is
8 a tier II site as provided in this subsection.

9 (4) For the fourth priority, a tier III site as provided
10 in this subsection. Among tier III sites, the infrastructure
11 board shall prioritize a retail motor fuel site that included
12 motor fuel storage and dispensing infrastructure used to store
13 and dispense gasoline prior to January 1, 2023.

14 NEW SUBSECTION. 4C. The amount of standard financial
15 incentives awarded to an eligible person to improve a retail
16 motor fuel site by installing, replacing, or converting
17 biodiesel infrastructure is seventy percent of the actual cost
18 of making the improvement or fifty thousand dollars, whichever
19 is less.

20 Sec. _____. Section 159A.14, subsection 5, unnumbered
21 paragraph 1, Code 2022, is amended by striking the unnumbered
22 paragraph and inserting in lieu thereof the following:

23 The department may provide for dedicated financing to
24 an eligible person who receives standard financing under
25 subsection 4B or 4C, subject to all of the following:

26 Sec. _____. Section 159A.14, subsection 5, paragraph a, Code
27 2022, is amended by striking the paragraph and inserting in
28 lieu thereof the following:

29 a. If the department determines that a participating person
30 is assigned special status because the participating person is
31 ineligible to be issued an E-15 incompatible infrastructure
32 class 2 waiver order for the retail motor fuel site as provided
33 in subsection 2, the infrastructure board may approve one
34 or multiple awards of standard financial incentives to make
35 improvements to that retail motor fuel site subject to all of

1 the following:

2 (1) The total amount of awards shall not be reduced by the
3 amount of any standard or special financial incentives awarded
4 to improve the retail motor fuel site under a prior financing
5 agreement, notwithstanding subsection 4A.

6 (2) The total amount of awards for ethanol infrastructure
7 under the financing agreement to be entered into by the retail
8 dealer and department shall not exceed the limitations provided
9 in subsection 4B.>

10 75. Page 39, line 5, after <subsection 5,> by inserting
11 <paragraph b,>

12 76. By striking page 39, line 7, through page 41, line 6,
13 and inserting:

14 <b. In addition to any standard financial incentives awarded
15 to a participating person under ~~paragraph "a",~~ subsections 4B
16 and 4C, the participating person may be awarded supplemental
17 financial incentives to make improvements to a retail motor
18 fuel site to ~~do any of the following:~~>

19 77. Page 41, by striking lines 24 and 25 and inserting
20 <incentives under this ~~subparagraph~~ paragraph "b" and standard
21 financial incentives under ~~paragraph "a"~~ subsection 4B or 4C to
22 improve the>

23 78. Page 42, after line 4 by inserting:

24 <Sec. _____. Section 159A.14, subsection 6, unnumbered
25 paragraph 1, Code 2022, is amended to read as follows:

26 A participating person shall not use the infrastructure to
27 store and dispense motor fuel other than the type of renewable
28 fuel approved by the board in the ~~cost-share~~ financing
29 agreement, unless one of the following applies:>

30 79. Page 42, after line 16 by inserting:

31 <Sec. _____. EFFECTIVE DATE. This part of this division of
32 this Act takes effect January 1, 2023.

33 PART B

34 RULEMAKING

35 Sec. _____. ADMINISTRATIVE RULES. The department of

S-5143 (Continued)

1 agriculture and land stewardship shall submit a notice of
2 intended action to the administrative rules coordinator and
3 the Iowa administrative code editor pursuant to section 17A.4,
4 subsection 1, paragraph "a", not later than July 1, 2022, for
5 the adoption of rules required to implement part A of this
6 division of this Act.

7 Sec. _____. EFFECTIVE DATE. This part of this division of
8 this Act, being deemed of immediate importance, takes effect
9 upon enactment.>

10 80. By striking page 42, line 17, through page 43, line 3.

11 81. By renumbering as necessary.

By COMMITTEE ON WAYS AND MEANS
DAN DAWSON, CHAIRPERSON

[S-5143](#) FILED APRIL 25, 2022

HOUSE FILE 2130

S-5142

1 Amend the amendment, S-5128, to House File 2130, as amended,
2 passed, and reprinted by the House, as follows:

3 1. Page 1, line 8, by striking <road> and inserting
4 <highway>

5 2. Page 2, after line 25 by inserting:

6 <Sec. _____. Section 321I.8, subsection 2, Code 2022, is
7 amended to read as follows:

8 2. The department shall remit the fees, including user
9 fees collected pursuant to section 321I.5, to the treasurer
10 of state, who shall place the money in a special all-terrain
11 vehicle fund. The money is appropriated to the department for
12 the all-terrain vehicle programs of the state. The programs
13 shall include grants, subgrants, contracts, or cost-sharing
14 of all-terrain vehicle programs with political subdivisions
15 or incorporated private organizations or both in accordance
16 with rules adopted by the commission. All-terrain vehicle fees
17 may be used for the establishment, maintenance, and operation
18 of all-terrain vehicle recreational riding areas through
19 the awarding of grants administered by the department, but
20 shall not be used for law enforcement purposes outside of a
21 designated off-highway vehicle recreational riding area or for
22 purchasing, installing, or maintaining signs along a highway
23 outside of a designated off-highway vehicle recreational
24 riding area. All-terrain vehicle recreational riding areas
25 established, maintained, or operated by the use of such
26 grants shall not be operated for profit. All programs using
27 cost-sharing, grants, subgrants, or contracts shall establish
28 and implement an education instruction program either singly
29 or in cooperation with other all-terrain vehicle programs.
30 All-terrain vehicle fees may be used to support all-terrain
31 vehicle programs on a usage basis. At least fifty percent of
32 the special fund shall be available for political subdivisions
33 or incorporated private organizations or both. Moneys from
34 the special fund not used by the political subdivisions or
35 incorporated private organizations or both shall remain in the

S-5142 (Continued)

1 fund and may be used by the department for the administration
2 of the all-terrain vehicle programs. Notwithstanding
3 section 8.33, moneys in the special fund shall not revert to
4 the general fund of the state at the end of a fiscal year.
5 Notwithstanding section 12C.7, subsection 2, interest or
6 earnings on moneys in the special fund shall remain in the
7 fund.>

8 3. Page 2, line 30, by striking <primary road> and inserting
9 <primary highway>

10 4. By renumbering as necessary.

By CARRIE KOELKER
WAYLON BROWN

S-5142 FILED APRIL 25, 2022

S-5140

1 Amend House File 2549, as amended, passed, and reprinted by
2 the House, as follows:

3 1. By striking everything after the enacting clause and
4 inserting:

5 <Section 1. NEW SECTION. 261.117 **Mental health**
6 **professional loan repayment program.**

7 1. *Definitions.* For purposes of this section, unless the
8 context otherwise requires:

9 a. "*Commission*" means the college student aid commission.

10 b. "*Eligible institution*" means an institution of higher
11 learning governed by the state board of regents or an
12 accredited private institution as defined in section 261.9.

13 c. "*Eligible loan*" means a mental health professional's
14 total federally guaranteed Stafford loan amount under the
15 federal family education loan program or the federal direct
16 loan program, a mental health professional's federal grad plus
17 loans, or a mental health professional's federal Perkins loan,
18 including principal and interest.

19 d. "*Eligible practice area*" means a city in Iowa that is
20 within a federal mental health shortage area, as designated by
21 the health resources and services administration of the United
22 States department of health and human services.

23 e. "*Mental health professional*" means a nonprescribing
24 individual who meets all of the following qualifications:

25 (1) The individual holds at least a master's degree from
26 an eligible institution in a mental health field, including
27 psychology, counseling and guidance, social work, marriage and
28 family therapy, or mental health counseling.

29 (2) The individual holds a current Iowa license if
30 practicing in a field covered by an Iowa licensure law.

31 (3) The individual has at least two years of post-degree
32 clinical experience, supervised by another individual in the
33 mental health field, in assessing mental health needs and
34 problems and in providing appropriate mental health services.

35 (4) The individual is not eligible for the rural Iowa

1 advanced nurse practitioner and physician assistant loan
2 repayment program established pursuant to section 261.114.

3 *f. "Part-time practice"* means at least seventy percent of
4 a forty-hour workweek.

5 2. *Program established.* A mental health professional loan
6 repayment program is established to be administered by the
7 commission for purposes of providing loan repayments for mental
8 health professionals who agree to practice in an eligible
9 practice area and meet the requirements of this section.

10 3. *Program agreements.*

11 *a.* The mental health professional and the commission shall
12 enter into a program agreement. Under the agreement, to
13 receive loan repayments pursuant to subsection 5, a mental
14 health professional shall agree to and shall engage in either
15 of the following:

16 (1) Full-time practice as a mental health professional in an
17 eligible practice area for a period of five consecutive years
18 after entering into the agreement.

19 (2) Part-time practice as a mental health professional in an
20 eligible practice area for a period of seven consecutive years
21 after entering into the agreement.

22 *b.* A mental health professional who entered into a program
23 agreement pursuant to paragraph "a" may apply to the commission
24 to amend the agreement to allow the mental health professional
25 to switch to part-time practice or full-time practice, as
26 applicable. The commission and the mental health professional
27 may consent to amend the agreement under which the mental
28 health professional shall engage in part-time practice in an
29 eligible practice area for an extended period of part-time
30 practice determined by the commission to be proportional to
31 the amount of full-time practice remaining under the original
32 agreement.

33 *c.* The commission shall give priority to mental health
34 professionals who are residents of Iowa and, if requested by
35 the adjutant general, to mental health professionals who are

1 members of the Iowa national guard.

2 4. *Satisfaction of practice obligation.*

3 a. An obligation to engage in full-time or part-time
4 practice under a program agreement entered into pursuant to
5 subsection 3 shall be considered satisfied when any of the
6 following conditions is met:

7 (1) The terms of the agreement are completed.

8 (2) The individual who entered into the agreement dies.

9 (3) The individual who entered into the agreement, due to a
10 permanent disability, is unable to practice as a mental health
11 professional.

12 b. If a mental health professional fails to fulfill the
13 obligation to engage in practice in accordance with subsection
14 3, the mental health professional shall be subject to repayment
15 to the commission of loan repayment amounts the commission paid
16 to the mental health professional pursuant to subsection 5 plus
17 interest as specified by rule.

18 5. *Loan repayment amounts.* The annual amount of loan
19 repayment the commission may make to a mental health
20 professional who enters into a program agreement pursuant
21 to subsection 3, if the mental health professional is in
22 compliance with obligations under the agreement, shall be
23 eight thousand dollars for an eligible loan. The total amount
24 of loan repayments from the commission to a mental health
25 professional under this subsection shall not exceed forty
26 thousand dollars.

27 6. *Refinanced loans.* A mental health professional who
28 receives a loan repayment pursuant to subsection 5 and who
29 refinances an eligible loan by obtaining a private educational
30 loan may continue to receive loan repayment under this section
31 if the amount of loan repayment does not exceed the lesser of
32 the amount specified in subsection 5 or the balance of the loan
33 repayment amount the mental health professional qualified to
34 receive with the eligible loan.

35 7. *Mental health professional loan repayment fund.* A mental

1 health professional loan repayment fund is created for deposit
2 of moneys appropriated to or received by the commission for use
3 under the mental health professional loan repayment program.
4 Notwithstanding section 8.33, moneys deposited in the mental
5 health professional loan repayment fund shall not revert to any
6 fund of the state at the end of any fiscal year but shall remain
7 in the mental health professional loan repayment fund and be
8 continuously available for loan repayment under the program.
9 Notwithstanding section 12C.7, subsection 2, interest or
10 earnings on moneys deposited in the mental health professional
11 loan repayment fund shall be credited to the fund.

12 8. *Report.* The commission shall submit in a report to the
13 general assembly by January 1, annually, the number of mental
14 health professionals who received loan repayment pursuant to
15 this section, where the mental health professionals practiced,
16 the amount paid to each mental health professional, and other
17 information identified by the commission as indicators of
18 outcomes of the program.

19 9. *Rules.* The commission shall adopt rules pursuant to
20 chapter 17A to administer this section.>

21 2. Title page, by striking lines 2 and 3 and inserting
22 <professional loan repayment program within the college student
23 aid commission.>

By CHRIS COURNOYER

S-5140 FILED APRIL 25, 2022

ADOPTED